



FEDERAL ELECTION COMMISSION

Washington, DC 20463

MEMORANDUM

TO: Office of the Commission Secretary

FROM: Office of General Counsel KCS

DATE: July 30, 1999

SUBJECT: 99L-03- First General Counsel's Report

The attached is submitted as an Agenda document for the Commission Meeting of _____

Open Session _____

Closed Session _____

CIRCULATIONS

SENSITIVE ☒
NON-SENSITIVE ☐

72 Hour TALLY VOTE ☒

24 Hour TALLY VOTE ☐

24 Hour NO OBJECTION ☐

INFORMATION ☐

DISTRIBUTION

COMPLIANCE ☒

Open/Closed Letters ☐

MUR ☐

DSP ☐

STATUS SHEETS ☐

Enforcement ☐

Litigation ☐

PFESP ☐

RATING SHEETS ☐

AUDIT MATTERS ☐

LITIGATION ☐

ADVISORY OPINIONS ☐

REGULATIONS ☐

OTHER ☐

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999 E Street, N.W.
Washington, D.C. 20463

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JUL 30 4 21 PM '99

FIRST GENERAL COUNSEL'S REPORT

SENSITIVE

RAD REFERRAL: 99L-03
DATE ACTIVATED: 6/24/99

STAFF MEMBER: Dawn Odrowski
Karen White

SOURCE: INTERNALLY GENERATED

RESPONDENTS: Bob Etheridge for Congress Committee and Charles W. Carpenter,
as treasurer

RELEVANT STATUTE: 2 U.S.C. § 434(a)(6)(A)

I. GENERATION OF MATTER

The Office of the General Counsel received a referral from the Reports Analysis Division ("RAD") on June 7, 1999. The basis for the referral is the failure of Bob Etheridge for Congress Committee and Charles W. Carpenter, as treasurer ("the Respondents"), to file eighteen 48 Hour notifications ("48 Hour Notices") for contributions totaling \$26,500. Bob Etheridge won the 1998 General Election in the second Congressional District in the State of North Carolina with 57.3 percent of the vote.

II. FACTUAL AND LEGAL ANALYSIS

Based on the Factual and Legal Analysis, see Attachment 1, this Office recommends the Commission find reason to believe the Respondents violated 2 U.S.C. § 434(a)(6)(A).

III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

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IV. **RECOMMENDATIONS**


1. Open a MUR.
2. Find reason to believe that Bob Etheridge for Congress Committee and Charles W. Carpenter, as treasurer, violated 2 U.S.C. § 434(a)(6)(A), and enter into conciliation prior to a finding of probable cause to believe.
3. Approve the attached Factual and Legal Analysis, proposed conciliation agreement, and the appropriate letter.

Lawrence M. Noble
General Counsel

Date

7/30/99

BY:


Lois G. Lerner
Associate General Counsel

Attachments:

1. Factual and Legal Analysis
2. Proposed Conciliation Agreement

2004-398-0233